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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: GOUGH ET AL.

APPLICATION NO.: 09/997,322

FILED: November 27, 2001

FOR: METHOD AND APPARATUS FOR THE
PRODUCTION, DELIVERY, AND RECEIPT OF
AUDIOVISUAL E-MAIL (AS AMENDED)

EXAMINER: Unassigned

ART UNIT: Unassigned

CONF. NO: 3459

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Technology Center 2100

**Information Disclosure Statement Within Three Months of
Application Filing or Before First Action – 37 CFR 1.97(b)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

1. Timing of Submission

This information disclosure is being filed within three months of the filing date of this application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever occurs last [37 CFR 1.97(b)]. The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

☒ Copies of the following references are enclosed:

- ☒ All cited references listed on PTO Form 1449
- ☐ References marked by asterisks
- ☐ The following:

☒ Copies of the following references can be found in parent U.S. Application No. 09/401,026, which is U.S. Patent No. 6,360,221 B1:

- ☐ All cited references
- ☒ References marked by asterisks on the 4th page of PTO Form 1449
- ☐ The following:

☐ The following references are not in English. For each such reference, the undersigned has enclosed (i) a translation of the reference; (ii) a copy of a communication from a foreign patent office or International Searching Authority citing the reference, (iii) a copy of a reference which appears to be an English-

language counterpart, or (iv) an English-language abstract for the reference prepared by a third party. Applicant has not verified that the translation, English-language counterpart or third-party abstract is an accurate representation of the teachings of the non-English reference, though, and reserves the right to demonstrate otherwise.

- ☐ All cited references
- ☐ References marked by ampersands
- ☐ The following:

3. Effect of Information Disclosure Statement (37 CFR 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.


4. Fee Payment

No fees are believed due. However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-2207.

5. Patent Term Adjustment (37 CFR 1.704(d))

- ☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Respectfully submitted,
Perkins Coie LLP



Paul L. Hickman
Registration No. 28,516

Date: September 9, 2002

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|---|---|----|---|--------------------------|-------------------|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT Form PTO-1449 (Modified) (Use several sheets if necessary) 4 Pages of PTO 1449 | | | | COMPLETE IF KNOWN | |
| | | | | Application Number | 09/997,322 |
| | | | | Confirmation Number | 3459 |
| | | | | Filing Date | November 27, 2001 |
| | | | | First Named Inventor | Gough et al. |
| | | | | Group Art Unit | Unassigned |
| | | | | Examiner Name | Unassigned |
| | | | | Attorney Docket No. | 59333-8026.US02 |
| Sheet | 1 | of | 4 | | |

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| Examiner Initials | Cite No. | U.S. Patent or Application | | Name of Patentee or Inventor of Cited Document | Date of Publication or Filing Date of Cited Document | Pages, Columns, Lines, Where Relevant Figures Appear |
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| Examiner Initials | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published. | T |
|-------------------|----------|--|---|
| | O | Yourdon, Java, the Web and Software Development, IEEE 1996 | |
| | P | World Wide Web e-mail service provider Hotmail (hereinafter "Hotmail") available through the web site http://www.msn.com provided by the Microsoft Corporation, Exhibit A, pages 1 through 3 enclosed herewith is a print out of another feature of Hotmail called Mail Handling. | |

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| EXAMINER | DATE CONSIDERED |
| *EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application(s). | |

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| Sheet | 2 | of | 4 | | |

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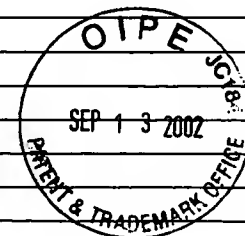
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OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS

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|-------------------|----------|--|---|
| | AA | Real Networks, Inc. (hereinafter "RealNetworks") a corporation with headquarters at 2601 Elliott Avenue, Suite 1000, Seattle, WA 98121, offers a line of products that include Real Player and Real Audio and the like. Versions these products may be downloaded from the Internet at http://www.real.com . | |
| | BB | Exhibit B is a print out of a page from Activegrams with the address: http://www.activegrams.com/cgi-bin/viewactivegrams.cgi?dadbdy on 9/26/99. | |

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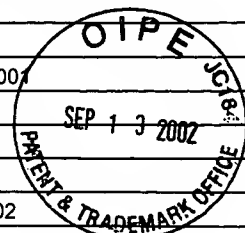
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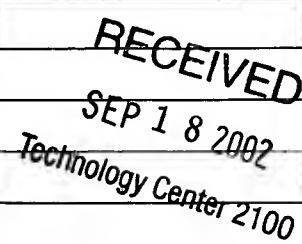
| OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS | | | |
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| Examiner Initials | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published. | T |
| | KK | Exhibit C, which is a print out of a page from Activegrams with the address: http://www.activegrams.com/cgi-bin/viewactivegrams.cgi?1411215ki on 9/21/99. | |
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| Attorney Docket No. | 59333-8026.US02 | | | | |
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